



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2017 Biennium

Bill #	SB0345	Title:	Revise process for adoption of accreditation standards
Primary Sponsor:	Arntzen, Elsie	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: SB 345 requires the Superintendent of Public Instruction to use a negotiated rulemaking process to develop recommendations to the Board of Public Education for standards of accreditation. The bill also requires the Office of Public Instruction (OPI) to prepare an economic impact statement for proposed accreditation standards.

FISCAL ANALYSIS

Assumptions:

- SB 345 amends 20-7-101, MCA, to require that the Superintendent of Public Instruction use a negotiated rulemaking process to develop recommendations to the Board of Public Education for standards of accreditation. The negotiated rulemaking committee must include representatives of school trustees, school administrators, teachers, school business officials, parents, and taxpayers.
- In consultation with the negotiated rulemaking committee, the Superintendent of Public Instruction must also prepare an economic impact statement, as described in 2-4-405, MCA. The economic impact statement must include:
 - a description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;
 - a description of the probable economic impact of the proposed rule upon affected classes of persons, including but not limited to providers of services under contracts with the state and affected small businesses, and quantifying, to the extent practicable, that impact;

- c) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenue;
 - d) an analysis comparing the costs and benefits of the proposed rule to the costs and benefits of inaction;
 - e) an analysis that determines whether there are less costly or less intrusive methods for achieving the purpose of the proposed rule;
 - f) an analysis of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule;
 - g) a determination as to whether the proposed rule represents an efficient allocation of public and private resources; and
 - h) a quantification or description of the data upon which subsections (2)(a) through (2)(g) are based and an explanation of how the data was gathered.
3. The purpose of the negotiated rulemaking process is to resolve controversial issues prior to the commencement of the formal rulemaking process (2-5-102, MCA).
 4. To establish a negotiated rulemaking committee, OPI (in accordance with 2-5-105, MCA) will publish in the Montana Administrative Register and, as appropriate, in newspapers and other publications, a notice that includes:
 - (a) an announcement that the agency intends to establish a negotiated rulemaking committee to negotiate and develop a proposed rule;
 - (b) a description of the subject and scope of the rule to be developed and the issues to be considered;
 - (c) a list of interests likely to be significantly affected by the proposed rule;
 - (d) a list of the persons proposed to represent the affected interests and the agency;
 - (e) a proposed schedule for completing the work of the committee; and
 - (f) an explanation of how a person may apply for or nominate another person for membership on the committee.
 5. The agency shall provide appropriate administrative support to the negotiated rulemaking committee, including technical support.
 6. The agency may nominate a person to serve as a facilitator for the negotiations of the committee, subject to the approval of the committee by consensus. The facilitator presides at the meetings of the committee in an impartial manner, assists the members of the committee in conducting discussions and negotiations and achieving consensus, and manages the keeping of minutes and records.
 7. The OPI currently follows a similar process. The agency expects to be able to meet the requirements of SB 345 within its existing resources. If a major change in the accreditation standards were undertaken, the agency would request funding from the legislature in the future.

Technical Notes:

1. OPI expects to be able to meet the requirements of SB 345 within its existing resources in the near term as reflected in this note. If major changes in the accreditation standards were undertaken, the agency will need to request funding from the legislature in the future.

Sponsor's Initials

Date

Budget Director's Initials

Date